

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) **Case No. 09-CR-043-SPF**
)
)
LINDSEY KENT SPRINGER,)
OSCAR AMOS STILLEY,)
)
)
Defendants.)

**UNITED STATES' NOTICE REGARDING DEFENDANTS' REFERENCE
TO DEPARTURE IN DEFENDANT SPRINGER'S OBJECTIONS
TO PRESENTENCE INVESTIGATION REPORT**

The United States of America, by and through its attorneys, Thomas Scott Woodward, United States Attorney for the Northern District of Oklahoma and Kenneth P. Snoke, Assistant United States Attorney, and Charles A. O'Reilly, Special Assistant United States Attorney, hereby files this notice due to Defendants' reference to a sentencing guideline downward departure made in Defendant Springer's objections to the presentence investigation report,¹ and Defendants' failure to file any motion for departure

¹ “61. Springer objects and denies departure downward is not warranted because of the taxes Springer encouraged to be paid by numerous persons during the years at issue.” Defendant Springer’s Objections to the Presentence Report, p. 19. Defendant Stilley adopted “the objections of Springer as if set forth herein word for word.” Defendant Stilley’s Objections to the Presentence Report, p. 14.

or variance from the United States Sentencing Guidelines. As neither Defendant filed a motion for departure or variance, the United States has nothing to which to respond. However, the United States does oppose any downward departure or variance from the Sentencing Guideline range determined by the Court.

The United States stands ready to file a supplemental response should the Court determine that such a response would be of assistance.

Respectfully submitted,

THOMAS SCOTT WOODWARD
UNITED STATES ATTORNEY

/s/ Charles A. O'Reilly

CHARLES A. O'REILLY, CBA NO. 160980
Special Assistant United States Attorney
110 West Seventh Street, Suite 300
Tulsa, Oklahoma 74119
(918) 382-2700

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of March, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Lindsey K. Springer, Defendant

Oscar A. Stilley, Defendant

Robert Williams

Standby Counsel assigned to Lindsey Kent Springer

Charles Robert Burton, IV

Standby Counsel assigned to Oscar Amos Stilley

/s/ Charles A. O'Reilly

Special Assistant U.S. Attorney